



Entered on Docket  
September 23, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Eighth Omnibus  
Objection Of USACM Trust To Proofs  
Of Claim Based In Whole Or In Part Upon  
Investment In The Del Valle Livingston  
Loan**

Hearing Date: August 30, 2011  
Hearing Time: 10:30 a.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8540] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

1  
2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to  
3 repayment by the borrower or from the collateral securing the Del Valle Livingston Loan;  
4 and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8540] is sustained; and  
7 2. The claims listed on **Exhibit A** attached are disallowed in full to the extent  
8 those claims are based upon an investment in the Del Valle Livingston Loan.  
9

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**  
12

13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACUM TRUST**  
**Del Valle - Livingston Loan**  
**Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount Relating to the Del Valle - Livingston Loan</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan</b>
10725-01878	1/8/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	10,451.54	Unknown
10725-02226	1/12/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	4,884,068.70	100,000.00
10725-01910	1/10/2007	Rebecca A Rogers Trust Dtd 9/18/96	Rebecca A Rogers Trustee 2309 Sierra Heights Dr Las Vegas, NV 89134	548,885.18	50,000.00
10725-02496	6/4/2007	Richard N Krupp	101 State Pl Ste I Escondido, CA 92029-1365	250,167.22	250,000.00
10725-01476	11/14/2006	Robert R Lange Family Trust	Bernard Lange Trustee 7915 Helena Ave Las Vegas, NV 89129	150,000.00	50,000.00
10725-02220	1/12/2007	Rogers, James William	78 Seal Rock Dr San Francisco, CA 94121	613,040.12	100,000.00
10725-02281	1/12/2007	Roisentul Family Trust	Saul & Ilene Roisentul Trustees 74075 Kokopelli Cir Palm Desert, CA 92211-2075	840,536.32	50,000.00
10725-01214	11/10/2006	Rulon, Phillip	3310 W. Hidden Valley Dr. Reno, NV 89502-9579	503,479.62	75,000.00
10725-01419	12/4/2006	S&P Davis Limited Partnership	737 Bannerman Lane Fort Mill, SC 29715	419,981.00	12,500.00
10725-02218	1/12/2007	Sanchez Living Trust Dtd 10/13/03	Randy M & Sharon Sanchez Ttees 5713 N White Sands Rd Reno, NV 89511	554,132.98	50,000.00
10725-00467	10/6/2006	Sanchez, Barbara M	Po Box 90528 Santa Barbara, CA 93190	Unknown	80,000.00

**EXHIBIT A**

2405721.1